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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,551	06/15/2001	Jonathan B. Cook	COOK-0006	8275

7590

07/13/2004

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EXAMINER

JANKUS, ALMIS R

ART UNIT

PAPER NUMBER

2671

DATE MAILED: 07/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/882,551

Applicant(s)

COOK, JONATHAN B.

Examiner

Almis R Jankus

Art Unit

2671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14-26 is/are allowed.
- 6) ☒ Claim(s) 1 and 8 is/are rejected.
- 7) ☒ Claim(s) 2-7, 9-13 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

### DETAILED ACTION

1. Claims 1 and 8 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Kramer et al. (US Pat. 5,297,057).

Kramer et al. Teaches the claimed computer processor capable of processing graphical information and data; a display device electronically coupled to said computer processor, displaying graphical information to an operator; an operator input interface electronically coupled to said computer processor allowing an operator to manipulate said graphical information on said display device; receiving operator input indicative of a desired construct's function from said operator input interface, and processes said operator input for use to calculates mechanism solutions having the particular desired function(s) said mechanism capable of behaving in accordance with said inputted functional requirements, said computing application further calculating parameters associated with said calculated mechanism for display as graphical information on said display device for said operator to view, at column 67 line 26 to column 68 line 13.

Inputting angles and positions is taught by Kramer et al. at column 65 lines 34-40.

While Kramer et al. does not explicitly teach a computer memory, it would have been obvious to one of ordinary skill in the art to use a memory for storing graphical information and data because Kramer et al. teaches inputting design parameters for the linkage.

Kramer et al. Does not explicitly teach a computing application, however, this would have been obvious because Kramer et al. teaches using an algorithm running on a computer.

Claim 8 further requires said mechanism solutions to include any of: a coupler curve, angle positions, points in space, and/or a mechanisms' motion path. Kramer et al. Teaches a coupler curve at figure 8.

2. Applicant's arguments filed 2/9/04 have been fully considered but they are not persuasive.

In the remarks, applicant argues that Kramer does not teach or suggest receiving operator input in the form of a desired construct's function or extracting position and angle data from the inputted desired positions. However, at column 8 lines 35-42; column 16 line 48 to column 17 line 36; and at column 53 lines 57-64.

3. Claims 2-7 and 9-13 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. Claims 14-26 stand allowed.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almis R Jankus whose telephone number is 703-305-9795. The examiner can normally be reached on M-F, 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Zimmerman can be reached on 703-305-9798. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

AJ



ALMIS R. JANKUS  
PRIMARY EXAMINER